THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

W.P.No.28028 of 1996

Date:24.01.2007

Between:

V.Raghavendra Rao

.. PETITIONER

AND

The A.P. Residential Educational Institutions Society, Hyderabad and another.

..RESPONDENTS

ORDER:

Pursuant to the interim order passed by this Court on 30.12.1996 in W.P.M.P.No.34622 of 1996, the petitioner has been given the benefit of time scale of pay of Rs.1375-2375 with usual allowances. It has been stated by the Vice Chairman and Secretary of the first respondent-society in its letter, dated 23.01.2007, that the petitioner is continuing to draw the salary in the time scale of pay as revised from time to time with usual allowances.

Sri A.Venkata Ramana, learned counsel for the petitioner, would contend that since the petitioner is given the benefit of time scale of pay from 1994 onwards, he should now be given the benefit of arrears of such pay scales from 1994. Learned counsel would place reliance upon a Division Bench Judgment of this Court in W.P.No.3903 of 1994 and batch, dated

25.09.1996.

It is true that the Division Bench had directed payment of arrears. It must, however, be noted that the petitioner, who claims entitlement of the benefit of the time scale of pay from 1994, has chosen to approach this Court only on 25.12.1996 and two days thereafter, pursuant to the interim order of this Court, dated 27.12.1996, he has been given the benefit of time scale of pay.

Having approached this Court after a lapse of more than two years, it is not open to the petitioner to contend that he should be given the benefit of arrears from 1994. The question as to whether belated approach to this Court would necessitate payment of arrears did not arise for consideration before the Division Bench.

In view of the fact that the petitioner has been given the benefit of time scale of pay from 27.12.1996, no further orders are necessary in this writ petition.

Accordingly, the writ petition is disposed of. No costs.

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24.01.2007

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